

INFANTICIDE **MON JAN 13 1992**
Police probe deaths of 23-day-old twins

Police said yesterday the death of two 23-day-old Oakland twins may have been caused by exposure after being left in a cold room in only their diapers.

Police could not be reached late last night to confirm a television report that the babies' mother had been arrested.

Antoine and Andrea Yearby, a boy and a girl born on Dec. 19, were both pronounced dead about 8:30 a.m. after they were rushed by ambulance to Highland Hospital, according to a coronor's spokesman.

There were no obvious signs of foul play and tests are being conducted to determine how they died, police said.

Stressed mother fatally smothers twins, police say

TUE JAN 14 1992

INFANTICIDE

By Harry Harris
Tribune staff writer

An Oakland woman already on probation for child abuse was charged yesterday for allegedly suffocating her 23-day-old twins so her "life would be easier," police said.

Investigators said the suspect, Traci Foscett, 22, initially claimed the children died from exposure from sleeping in an unheated room.

But she confessed Sunday when confronted with inconsistencies in her story that had been established through autopsies on the children, Sgt. Bill Wallace said.

She will be arraigned today on two counts of special circumstance murder in Oakland Municipal Court. If convicted she could face the death penalty.

The infants, Andrea and Antoine Yearby, were not breathing when they were discovered about 7:45 a.m. Saturday by their father. He had gone into the bedroom of the home in the 1500 block of 19th Avenue to kiss them goodbye before going to work.

Wallace did not identify the father, saying police are satisfied he had nothing to do with the deaths.

Police said the house has electricity but apparently no central heating. Wallace said there was an electric heater in the bedroom where everyone slept.

Wanted good night's sleep

Wallace said sometime late Friday or early Saturday Foscett put the twins in another bedroom because one of them was crying and "she wanted a good night's sleep."

She then returned to the bedroom where she was sleeping with the infants' father and the couple's 16-month-old daughter.

Sometime later, Foscett allegedly went to the room where the twins were sleeping, pulled the blankets up over their heads and suffocated them, Wallace said.

Wallace said Foscett allegedly admitted suffocating the infants because since she had them last month they constantly cried. Her life had become more stressful and complicated and she was tired of being tied down, she told police.

Traci Foscett
pleaded no
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in late 1989.



"At some point she decided (her) life would be easier without them," Wallace said.

Wallace said Foscett told police her 16-month-old daughter didn't cause her as many problems and if she just had one child to care for she could "get up and go" more.

Investigators said three of Foscett's five children are now dead. A fourth was taken from her for child abuse. Her remaining child, the 16-month-old, is now in a relative's care.

Last January, Foscett's 4-month-old daughter, the twin of the 16-month-old, died in Sacramento, reportedly of Sudden Infant Death Syndrome.

That case may be reviewed by authorities because of the latest deaths, police said.

Ironically, Foscett was scheduled to begin violence counseling sessions in two weeks because of the child abuse conviction, according to Oakland Municipal Court records.

According to the records, Foscett pleaded no contest and was found guilty last August of breaking the leg of her then-9-month-old daughter in late 1989.

That child was subsequently taken away from Foscett who as a condition of her probation was ordered not to "threaten, annoy or molest" the girl, as well as get the violence counseling, according to the records.

A relative of Foscett's, who did not want his name used, said the family believes Foscett's personality was permanently altered when she sustained brain damage after being hit by a bus more than 15 years ago.

Authorities said Foscett appeared to be dead at the scene but was revived by a police officer who gave her mouth-to-mouth resuscitation.

The relative said Foscett's family "does love her and does care for her and will give her all the support we can. We're also hoping she can get some help."

Twins' deaths spark Sacramento probe

WED JAN 15 1992

By Harry Harris
Tribune staff writer

INFANTICIDE

An Oakland mother charged with suffocating her 23-day-old twins was arraigned yesterday, while Sacramento authorities said they plan further investigation into the death of another child last year.

A 4-month-old daughter of Traci Foskett died in Sacramento last January 19 and the cause of death has been listed as Sudden Infant Death Syndrome.

Sacramento County deputy coroner James Miles said yesterday that "We did everything we could at the time of the infant's death. If she confesses to smothering, we'll go back to the autopsy."

"There was no significant trauma to the child," Miles said. "We listed death as SIDS and that's how it's going to

stay."

Sacramento police Sgt. Joe Dean said police never had a case against Foskett.

"We never opened the case because it was listed as SIDS. SIDS exempts it from being investigated as a homicide. Unless something out of the ordinary happens and the coroner contacts us, we won't do anything."

Foskett allegedly has confessed to suffocating newborn twins Andrea and Antoine Yearby with a blanket sometime Saturday morning in their 9th Avenue home. She reportedly told police she thought her "life would be easier" without them.

Homicide investigators said Foskett, who was already on probation after being convicted last June of breaking the leg of another daughter in late 1989, did tell them about the death of

the 4-month-old.

The 4-month-old child also was a twin and investigators said Foskett insisted she did not harm the child and that the death was from SIDS.

That baby's sister was in the house Saturday but has since been placed in protective custody. The daughter whose leg Foskett broke in 1989 is being cared for by Foskett's mother.

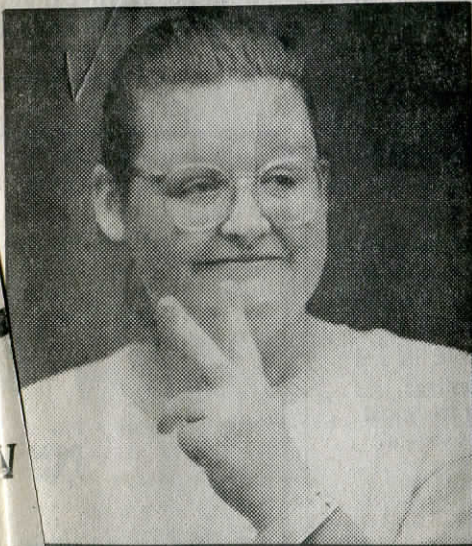
Under the terms of Foskett's three-year probation for the child abuse conviction, she was ordered to get violence counseling and not "threaten, annoy or molest" the girl, who is now almost 3.

Foskett's mother and other relatives were at her arraignment yesterday.

In a very brief court appearance

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Twins prime abuse targets, See A-5



Traci Foskett

No plea to murder counts

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Foskett, who is being held without bail, did not enter a plea to the two counts of special circumstance murder she is charged with.

She smiled, waved and flashed a two-finger "peace" sign to her relatives. But when she could see them crying she also broke down and was holding back sobs as she was led back into a holding cell. She is scheduled to return to court Jan. 31 and may enter a plea then.

After the hearing, Public Defender Susan Sawyer told reporters she did not believe police had enough evidence to arrest Foskett on Saturday. Foskett was arrested after telling police initially she had left the twins in an unheated room overnight.

It was not until she was confronted Sunday with inconsistencies established by the autopsy that she allegedly confessed to suffocating them.

Assistant District Attorney Bob Platt said he expected such a claim from a defense attorney and would only say police had "an abundance of evidence" to make the arrest.

— Tribune staff writer Yasmin Anwar contributed to this report.

Officials say they'll now check crib deaths

THU JAN 16 1992

By Yasmin Anwar
and Harry Harris
Tribune staff writers

In the wake of murder charges filed against Traci Foscett for allegedly smothering her newborn twins, the Sacramento County Coroner's office yesterday said it will begin checking for child abuse in future cases of Sudden Infant Death Syndrome.

Coroner's deputies said they are unable to

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The Sacramento County Coroner's office will also reopen an investigation into the death of Foscett's 3-month-old daughter, Marrissa Yearby, who reportedly died of SIDS in Sacramento in January 1991.

However, authorities will not exhume the body of the child, whose surviving twin sister is currently in her grandmother's

custody, said Sacramento County Coroner Jim Moore.

"We have to be sensitive to SIDS families because they're going through an enormous trauma," Moore said. "But we also have to prevent possible homicides from being reported as SIDS."

An Alameda County Coroner's representative said yesterday

that for the last 10 years parents of SIDS victims have been routinely investigated by county authorities.

The Sacramento County Child Death Review Committee today will review the autopsy report of the child who died last year for suspicious signs that it may have missed during the original inspection.

as cover for murder

However, Moore doubts that investigators will find any new evidence into the death of Mar-rissa, who reportedly stopped breathing in her crib on Jan. 19, 1991.

Meanwhile, Foskett is being held without bail for allegedly suffocating her 28-day-old twins Saturday morning. She has reportedly told police that she

smothered the boy and girl so that her life would be easier.

Sudden Infant Death Syn-drome or SIDS is a mysterious ailment that strikes newborns wherein the child will suddenly and inexplicably stop breathing, making it impossible to differen-tiate the cause of death from

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suffocation, officials said.

"The only difference between SIDS and a homicide is a confession," said Deputy Coroner Richard Miles.

Miles said Sacramento SIDS investigations are severely hampered by county rules that say SIDS victims must be rushed to the hospital.

Coroners deputies said they are unable to conduct thorough examinations of SIDS victims once they are away from the scene, where signs such as family reactions to the death or the state of the home can be vital clues in the case.

Moore said he will ask county emergency services to change that rule.

He said, however, medical authorities may reject his request because they believe any chance of resuscitating a SIDS victim must be taken advantage of.

"In Foscett's case, the hospital called us and told us they had a SIDS case. We didn't even see where the baby died. We didn't interview the parents," Miles said.

In the proposed changes, future SIDS investigations will include a 16-page report asking questions ranging from family's housekeeping practices to details of the child's eating habits.

Authorities said this new attention to detail has been prompted by the lack of communication between law enforcement and child welfare services in the Foscett case.

A warrant was issued for Foscett in June 1990 after she failed to appear in Oakland Municipal Court on child abuse charges.

She had shown up in court in February 1990 on abuse charges and was given a May 1990 date for jury trial.

But when she did not appear in

for jury trial.

But when she did not appear in court in May, a \$3,000 bench warrant was issued by Judge Martin Jenkins for her arrest.

When she did not appear in June, the warrant was officially issued.

Authorities said they believe Foskett fled to Sacramento where she began receiving welfare payments.

Had Sacramento authorities checked, they would have discovered Foskett was charged with breaking the leg of another daughter in 1989.

A report of Foskett's arrest for child abuse would have been sent to the state Department of Justice (DOJ) which keeps a computerized record of people arrested for such offenses.

The Automated Child Abuse System keeps records supplied by police, sheriff's departments and county social service agencies and other child protective agencies.

Information includes reports of sexual, physical and mental or emotional abuse and severe neglect and is mailed to the Sacramento office.

There are more than 526,000 names of suspects stored in the computer, said Randy Poole, a DOJ supervisor.

Known aliases of the suspects would also be part of the files, he said.

Poole said "an individual does not have to be arrested to have a child abuse report generated."

Twins' mother enters plea on baby deaths

INFANTICIDE

SAT FEB - 1 1992

A 22-year-old woman pleaded innocent yesterday to charges in connection with the suffocation of her 23-day-old twins.

Traci Foscett appeared briefly before Judge Horace Wheatley in Oakland Municipal Court. The next court appearance was scheduled March 6.

Foscett was charged with two counts of murder in the deaths of her twins, Andrea and Antoine Yearby. The diaper-clad bodies of the infants were found by their father, Andrew Yearby, in an unheated bedroom in January.

Officials, who first thought the infants died of exposure, said an autopsy revealed they had been suffocated.

The charges against Foscett include the special circumstance of multiple murder, which could carry the death penalty upon conviction.